



UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 09/344,462 06/25/99 **STREETS** R 5495 **EXAMINER** PM82/0922 MARTIN CONNAUGHTON REDMAN, J ASHLAND INC **ART UNIT** PAPER NUMBER P 0 BOX 2219 COLUMBUS OH 43216 3634 **DATE MAILED:** 09/22/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Application No. Applicant(s) Office Action Summary —The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address— **Period for Response** A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE. MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely. - If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication . - Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Status Responsive to communication(s) filed on 6/25/99 ☐ This action is FINAL. ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G. 213. **Disposition of Claims** \times Claim(s) 1-13is/are pending in the application. Of the above claim(s) ______ is/are withdrawn from consideration. _____is/are allowed. ☐ Claim(s)_ is/are rejected. ☐ Claim(s) is/are objected to. ☐ Claim(s)— Claim(s) 1-13 are subject to restriction or election requirement. **Application Papers** ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. ☐ The proposed drawing correction, filed on _______ is ☐ approved ☐ disapproved. ☐ The drawing(s) filed on______ is/are objected to by the Examiner. ☐ The specification is objected to by the Examiner. The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

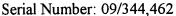
Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d).
☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
□ received.
☐ received in Application No. (Series Code/Serial Number)
received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).
*Cortified conject not received:

Attachment(s)

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s).	☐ Interview Summary, PTO-413	
☐ Notice of References Cited, PTO-892	\square Notice of Informal Patent Application, PTO-152	
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948	Other	

Office Action Summary

U. S. Patent and Trademark Office PTO-326 (Rev. 3-97)



Art Unit: 3634

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 8-13, drawn to a method of adhering roofing material, classified in class 52, subclass 746.11.

II. Claims 1-7, drawn to a composite roof structure, classified in class 52, subclass 309.5.

The inventions are distinct, each from the other because:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed can be made by another and materially different process such as applying a one port moisture curable, foaming, polyurethane adhesive composition to a roofing material, then positioning the roofing material on a roof deck, then allowing the composition to cure.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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Applicant is reminded that upon the cancellation of claims to a non-elected invention, the

inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently

named inventors is no longer an inventor of at least one claim remaining in the application. Any

amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the

fee required under 37 CFR 1.17(I).

Any inquiry concerning this communication should be directed to Jerry Redman at

telephone number (703) 308-2168.

Primary Examiner